

NOTICE

June 7, 2005

The Honorable John E. Jones, III
United States District Court
Middle District of Pennsylvania
U.S. Courthouse & Federal Building
Williamsport, Pennsylvania 17701

Re: Kitzmiller, et al. vs. Dover Area School District, et al.
No. 04-CV-2688

Dear Judge Jones:

This letter shall serve as Notice that the portion of the Motion to Quash Subpoena or For Protective Order filed by non-parties Joseph Maldonado and Heidi Bernhard-Bubb on June 7, 2005 in the above referenced matter requesting a stay of the depositions scheduled for June 8, 2005 is withdrawn as per the amicable agreement of counsel for the Plaintiffs, counsel for the Defendants, and counsel to Joseph Maldonado and Heidi Bernhard-Bubb (the "parties"). Accordingly, the depositions scheduled for June 8, 2005 have been cancelled by amicable agreement of the parties. **All other aspects of the said Motion to Quash Subpoena or For Protective Order remain outstanding, including the ultimate resolution of the merits of the Motion; all that has been agreed to by the parties is the canceling of the depositions previously scheduled for June 8, 2005.**

Thank you.

Very truly yours,

Terence J. Barna, Esquire

TJB/mjs